

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Raymond Keith Fitchett

Docket No. 2:11-CR-41-1D

Petition for Action on Supervised Release

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Raymond Keith Fitchett, who, upon an earlier plea of guilty to Receipt of Child Pornography, in violation of 18 U.S.C. § 2252(a)(2), was sentenced by the Honorable James C. Dever III, U.S. District Judge, on July 19, 2012, to the custody of the Bureau of Prisons for a term of 108 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for Life.

Raymond Keith Fitchett was released from custody on July 1, 2019, at which time the term of supervised release commenced.

On September 18, 2019, a Petition for Action was submitted to the court recommending that the condition ordering Fitchett to abide by the rules and regulations of the Eastern District of North Carolina Sex Offender Program be stricken and replaced with sex offender-related conditions which were recommended by the sex offender treatment provider and which were individualized to meet the specific needs of the defendant. The court concurred with recommendations on September 20, 2019.

On May 29, 2020, a Violation Report was submitted to the court advising that on May 21, 2020, the defendant submitted to an instant urine screen which tested positive for marijuana use. The national laboratory confirmed the result on May 28, 2020. The court was informed that immediately following the instant urine screen, Fitchett admitted to consuming cannabidiol (CBD) gummies approximately three weeks prior to May 21, 2020, in order to relieve stomach pain. He also stated that he did not know CBD use was prohibited while under supervision. Due to this contention and because the defendant was counseled about the potential consequences about his continued use of the substance, it was recommended that Fitchett be continued under supervision without modification. The court concurred with the recommendation on June 4, 2020.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

As noted above, on September 20, 2019, the court ordered that Fitchett abide by sex offender-related conditions which were recommended by the sex offender treatment provider and which were individualized to meet his specific needs. In September 2020, the defendant was ultimately transferred to a new sex offender treatment provider, Albemarle Psychology Clinical & Forensics Services in Elizabeth City, North Carolina. Following such transfer, Fitchett underwent a psycho-sexual reevaluation and was recommended to continue bi-weekly individual counseling. Also, to aid in his supervision, it was recommended that the defendant's supervised release conditions be modified to include a condition prohibiting him from hitchhiking or picking hitchhikers. As such, it is recommended that Fitchett's supervised release be modified accordingly. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall not hitchhike or pick up hitchhikers.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Lakesha H. Wright
Lakesha H. Wright
U.S. Probation Officer
306 East Main Street, Room 306
Elizabeth City, NC 27909-7909
Phone: 252-335-5508
Executed On: January 26, 2021

ORDER OF THE COURT

Considered and ordered this 27 day of January, 2021, and ordered filed and made
a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge